

2003 Assembly Bill 519

Date of enactment: **April 13, 2004**
Date of publication*: **April 27, 2004**

2003 WISCONSIN ACT 240

AN ACT *to amend* 29.335; and *to create* 29.336 of the statutes; **relating to:** feeding deer for viewing or hunting and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 29.335 of the statutes is amended to read:

29.335 Feeding wild animals for nonhunting purposes. ~~The Subject to s. 29.336, the~~ department shall promulgate rules to regulate the recreational and supplemental feeding of wild animals for purposes other than hunting. ~~The rules promulgated under this section do not apply after June 30, 2004.~~

SECTION 2. 29.336 of the statutes is created to read:

29.336 Feeding deer. (1) In this section, “feeding deer” means to place any material to feed or attract deer in or from the wild.

(2) The department shall promulgate rules that prohibit feeding deer for hunting or viewing purposes in any of the following counties:

(a) A county in which the county or a portion of the county is in a chronic wasting disease control zone designated by the department by rule.

(b) A county in which a positive test for chronic wasting disease or bovine tuberculosis has been confirmed in any captive or free-roaming domestic or wild animal after December 31, 1997.

(c) A county in which the county or a portion of the county is within a 10-mile radius of the known location

of a captive or free-roaming domestic or wild animal that has been tested and confirmed to be positive for chronic wasting disease or bovine tuberculosis after December 31, 1997.

(3) A person may feed deer for viewing purposes in counties not included in the rules promulgated under sub. (2) if all of the following apply:

(a) The feeding site is within 50 yards of an owner-occupied residence or of a person’s business, if the business is one that is generally open to the public.

(b) The feeding site is not less than 100 yards from a roadway, as defined in s. 340.01 (54), having a posted speed limit of 45 miles per hour or more.

(c) Not more than 2 gallons of material are at the feeding site.

(d) The material used to feed deer does not contain any animal part or animal byproduct.

(4) A person may feed deer for hunting purposes in counties not included in the rules promulgated under sub. (2) during any season open for hunting deer if all of the following apply:

(a) Not more than 2 gallons of material are at the feeding site.

(b) No feeding site is closer than 100 yards of another feeding site.

(c) The person does not place more than 2 gallons of material in any area comprising 40 acres or less.

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

(d) The material used to feed deer does not contain any animal part or animal byproduct.
